



08-09-02

CP/1644

CASE 4-31157A/USN

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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IN RE APPLICATION OF

Art Unit: 1644

DIGAN ET AL.

Examiner: Ewoldt, G.

APPLICATION NO: 09/480,236

FILED: JANUARY 10, 2000

FOR: ANTI-CD3 IMMUNOTOXINS AND THERAPEUTIC USES  
THEREFOR

Assistant Commissioner for Patents  
Washington, DC 20231

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Sir:

The Notice of Non-Compliant Amendment (37 CFR 1.121) dated July 12, 2002 (a copy of which is enclosed) has a shortened statutory time set to expire on August 12, 2002.

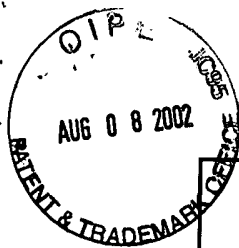
In response, applicants now submit a corrected Response to Office Action with the marked-up version of the amended paragraphs attached.

Respectfully submitted,

Novartis Pharmaceuticals Corporation  
Patent and Trademark Dept.  
564 Morris Avenue  
Summit, NJ 07901-1027  
(908) 522-6765

Date: August 8, 2002

Thomas R. Savitsky  
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Washington, D.C. 20231

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gnd  
08/26/02

RESPONSE TO OFFICE ACTION

Sir:

This is in response to the Office Action dated March 28, 2002, for the above-identified application. Entry of the following amendment and reconsideration of the application are respectfully requested.

Amendment

In the Specification

Before "Field of Invention", please replace the paragraph added in the Preliminary Amendment mailed May 9, 2000 with the following new paragraph:

--This application claims the benefit of provisional application No. 60/183,056 filed October 7, 1999; provisional application No. 60/266,285 filed January 25, 1999; and provisional application No. 60/183,059 filed January 15, 1999.--

Submitted herewith is a new Abstract to replace the old Abstract.

Attached hereto is a marked-up version of the changes made to the specification and abstract by the current amendment. The attached page is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

In the Claims

Please cancel claims 1-7, 9-16 and 30-34 and replace them with new claims 35-54 as follows: